

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

SARAH HEINZL,
individually and on behalf of all others
similarly situated,

Case No. 2:14-cv-01455-RCM

Plaintiff,

v.

CRACKER BARREL OLD COUNTRY STORE,
INC.,

Defendant.

_____ /

ORDER GRANTING DEFENDANT'S MOTION TO DISMISS

THIS CAUSE having come before the Court upon Defendants' Motion to Dismiss, and the Court being otherwise duly advised in the premises, the Court finds that:

Plaintiff lacks standing to bring claims as to those six places identified at paragraphs 19(b)-(g) of the Complaint and consequently this Court lacks subject matter jurisdiction to order the relief Plaintiff seeks as to those six locations.

It is hereby ORDERED that the Motion is granted. Plaintiff shall have ten days in which to amend her Complaint so as to exclude those allegations at paragraphs 19(b)-(g). Defendant will respond to the Amended Complaint within 14 days of its filing.

ORDERED in Chambers at Pittsburgh, Allegheny County, Pennsylvania this ____ day of _____, 20____.

UNITED STATES DISTRICT COURT JUDGE